



Attorney Docket No T9376 DIV2

37388  
#61B  
JK  
9-24-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PETER PAL VARGA et al. )  
TITLE: METHOD OF IMPLANTING )  
AN INTERVERTEBRAL )  
SPACER )  
SERIAL NO.: 10/055,783 ) RESPONSE A WITH AMENDMENT  
FILED: January 22, 2002 )  
EXAMINER D. Willse )  
ART UNIT: 3738 )  
)

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TECHNOLOGY CENTER R3700

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Responsive to the Office Action, Paper No. 4, mailed March 12, 2003, applicants request entry of this Response A With Amendment and reconsideration of the above-captioned application. This response addresses every ground of rejection set forth in the Office Action.

Certificate of Deposit Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 12 day of September, 2003.

Karl R. Cannon  
Attorney Registration No. 36,468  
Attorney for Applicant

09/17/2003 ANAB11 00000015 10055783  
01 FC:2202  
02 FC:2201

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A shortened statutory period for response of three (3) months was set for response to the Office Action. Accordingly, a Petition for a three-month extension of time and check no. 6759 appropriate in amount to cover the corresponding fee are also enclosed.

Seventeen (17) new dependent claims (comprising claims 52-67, and 69) and one (1) new independent claim (comprising claim 68) have been added. Accordingly, enclosed is a captioned paper entitled "FEE TO COVER ADDITIONAL CLAIMS ADDED BY AMENDMENT", and check no. 6762 appropriate in amount to cover the corresponding fee for these additional claims.

Also enclosed is a captioned paper entitled Notification of Error in Spelling of inventor's Name and Request to Change Inventor Name from James A. Ogilvie to James W. Ogilvie.



Attorney Docket No. T9376.DIV2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PETER PAL VARGA et al. )  
TITLE: METHOD OF IMPLANTING )  
AN INTERVERTEBRAL )  
SPACER )  
SERIAL NO.: 10/055,783 ) FEE LETTER TO COVER  
FILED: January 22, 2002 ) ADDITIONAL CLAIMS BY  
EXAMINER: D. Willse ) AMENDMENT  
ART UNIT: 3738 )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith is the fee of \$204 included in Check No. 6762, to secure consideration of eighteen (18) new claims, among which include one (1) new independent claim, which are added by the response enclosed herewith entitled "Response A With Amendment."

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*Karl R. Cannon*  
Karl R. Cannon  
Attorney Registration No. 36,468  
Attorney for Applicant

DATED this 12 day of September, 2003.

Respectfully submitted,



Karl R. Cannon

Attorney Registration No. 36,468  
Attorney for Applicant

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KRC/kd

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